IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 7395 of 2005

Between:

D.V.V.Prasad, s/o Punnaiah,
r/o Door No.11-3-33/1, Kailasbhavan Road,

Chenchupet, Tenali Post & Mandal,
Guntur District.

..... PETITIONER

AND

1 The Regional Manager, APSRTC, Guntur Region,

Guntur District.
2 The Depot Manager, APSRTC, Tenali Bus Depot,

Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ more particularly one in the nature of writ of mandamus declaring the action of the respondents in not granting the Special Grade/Stagnation Increments to the petitioner with effect from his completion of 12 years of service in A.P.S.R.T.C. in total (All Regions) and counting the present regions services of 12 years for stagnation Increments/Special Grade as bad arbitrary, illegal, and contrary to the circulars and contrary to the judgments of this Hon'ble Court and consequently direct the respondents to effect the 12 years Stagnation Increment/Special Grade to the petitioner on his completion of 12 years of service in the all the regions of the Corporation and pass such further other order or orders as this Hon'ble Court may deem fit and proper under the circumstances of the case.

Counsel for the Petitioner: MR.G.RAVI MOHAN

Counsel for the Respondent Nos.1 and 2: MR.R.M.REDDY

The Court at the admission stage made the following:

ORDER:

For not granting stagnation increment the present writ petition is filed.

According to the writ petitioner, he completed 12 years of service in the respondent Corporation, and therefore, he is entitled to the stagnation increment. As the stagnation increment/Special Grade was not sanctioned to him, the present writ petition is filed.

The learned counsel for the petitioner contended that the total service rendered by the petitioner in the Respondent Corporation has to be taken into consideration for granting stagnation increment/Special Grade.

On the other hand, the learned Counsel for the respondents contended that as the petitioner has not completed 12 years of service in a particular region, he is not entitled for such benefits.

This Court in W.A.No.1301 of 2000, dated 29.10.2002 held that it is the total service rendered by the petitioner in the respondent Corporation that counts, but not in the division or region. Following the above judgment, the total service of the petitioner has to be taken into consideration in granting stagnation increment/Special Grade.

Therefore, the respondents are directed to consider the case of the petitioner for granting stagnation/Special Grade increment, considering the total service rendered by him in the Corporation, within a period of 2 (two) months from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No order as to costs.

Dated: 05.04.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The Regional Manager, APSRTC,

Guntur region, Guntur District

2. The Depot Manager, APSRTC,

Tenali Bus Depot, Guntur District

3. Two CD copies

*Form-NIC-OGS/WP{**RS**}*